REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-15 are pending; and Claims 1-3, 5-8, and 10-15 are amended by the present amendment.

Support for changes to Claims 1-3, 5, 6, 7, 8, 11, and 13 is found in the specification at least at page 7, lines 21-23. The remaining changes to the claims address minor informalities. Thus, no new matter is added.

The outstanding Official Action objected to the title of the invention; objected to the abstract; objected to Claims 1, 6, and 10; rejected Claims 7 and 13 under 35 U.S.C. § 112, second paragraph; rejected claims under 35 U.S.C. § 102(a) as anticipated by Japanese Patent Application No. 2002-36005 to Koichi; rejected Claims 1-15 under 35 U.S.C. § 103(a) as unpatentable over Japanese Patent Application Publication No. 09-154108 to Yoshiki in view of the Tomarchio et al. publication, "Code Mobility for Adaptation of Multimedia Services in VHE environment," (hereinafter Tomarchio); and rejected claims under 35 U.S.C. § 103(a) as unpatentable over Yoshiki in view of the Sakomoto et al. publication, "Service Mobility Management in Resource-aware Seamless Service," 2001 Communications Society Conference of IEICE B-7-58, (hereinafter Sakomoto).

Applicants respectfully traverse the objection to the title of the invention. Applicants submit that the word "suspended" is spelled correctly on the specification, declaration, and Applicants' Application Data Sheet filed on September 2, 2003. However, Applicants note that the USPTO records in PAIR for this application reflect that the word "suspended" is misspelled. Accordingly, Applicants submit that the USPTO records are not accurate and respectfully request the Examiner to correct this error. Furthermore, Applicants respectfully request that the objection to the title of the invention be withdrawn.

Applicants respectfully submit that the changes to the abstract overcome the objection to the abstract. Thus, Applicants respectfully request that the objection to the Abstract also be withdrawn.

Claims 1, 6, and 10 are amended to recite "a memory unit configured to store a recovery table." Accordingly, Applicants submit that the changes to Claims 1, 6, and 10 overcome the objection to the claims. Thus, Applicants respectfully request that the objection to Claims 1, 6, and 10 also be withdrawn.

Regarding the rejection under 35 U.S.C. § 112, second paragraph, Claim 7 is amended to recite "a resource determination unit configured to determine a hardware or a software resource executable in said another terminal based on the recovery table to resume the service from the suspended state." Claim 13 is amended to recite "selecting a hardware or a software resource executable in the second terminal is selected based on the recovery table for executing the service from the suspended state."

In a non-limiting example, Applicants' specification describes at least on page 10, lines 17 to 20, that a resource determination module 23 refers to the recovery table so as to determine the resource (software or hardware) that can be utilized at the second terminal.

Accordingly, Applicants submit that Claims 7 and 13 particularly point out and distinctly claim the intended subject matter under 35 U.S.C. § 112, second paragraph. Thus, Applicants respectfully request that the rejection of Claims 7 and 13 under 35 U.S.C. § 112, second paragraph, be withdrawn.

Applicants respectfully traverse the rejection of Claims 1-15 under 35 U.S.C. § 102(a) as being anticipated by Koichi with respect to independent Claims 1-3, 5, 6, 8, and 11.

As a preliminary matter, the outstanding Official Action asserts that Claims 1-23 were rejected under 35 U.S.C. § 102(a).[1] However, the present application is directed to Claims 1-

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[1] See Official Action of August 7, 2007 at page 3.

11

15. Applicants believe that the outstanding Official Action is rejecting Claims 1-23 of a corresponding foreign application. Accordingly, Applicants submit that the rejection of Claims 1-23 of a corresponding foreign application, which are not part of the present application, is improper. However, assuming *arguendo* that the outstanding Official Action rejects Claim 1-15 under 35 U.S.C. § 102(a), Applicants respectfully traverse that rejection for the reasons stated below.

Claim 1 is directed to a suspended service recovery system for receiving a service non-continuously via a network from a service providing apparatus deployed on the network. The recovery system includes, in part, a first terminal and a second terminal, both of which receive the service from the service providing apparatus. The recovery system further includes a service-recovering unit configured to recover the suspended service on the second terminal based on the recovery state data. The recovery system also includes a service execution unit configured to resume the suspended service on the second terminal based on the recovery-state data of the service-recovering unit.

Turning now to the applied reference, Koichi describes a method for providing a continuous service when a node moves from one location to another.[2] Koichi indicates that a shadow agent is copied from a master agent, which provides a service. Koichi further describes that when the service to a node cannot be provided by the master agent, the service may be continued on the same node via a proxy by the shadow agent.[3]

However, Koichi fails to disclose or suggest that when a service is interrupted on a first node, the service is recovered and resumed on a second node. Specifically, Koichi merely describes that if a service from a master agent to a node is interrupted, the service may be continued on the same node by the shadow agent. Thus, in Koichi, the node that receives the service after interruption of the service is the same node that received the service prior to

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[2] See Koichi at Abstract.
[3] See Koichi at paragraphs 17 and 18.

interruption of the service. Accordingly, <u>Koichi</u> fails to disclose or suggest "a service execution unit configured to resume the suspended service on the second terminal based on the recovery-state data of the service-recovering unit," as recited in Claim 1.

In addition, <u>Koichi</u> fails to disclose or suggest "recovering and resuming the suspended service on the second terminal based on the recovery state data," as recited in Claim 2. <u>Koichi</u> fails to disclose or suggest "an analyzer configured to analyze a suspend-state if a service being provided via the network is suspended, and to extract required data in order to recover and resume, on another terminal, the service from the suspend-state," as recited Claim 3. <u>Koichi</u> further fails to disclose or suggest "a service recovery unit configured to recover the service from a suspend state, the service suspended by another terminal, based on acquired data retrieved from the network for resuming the suspended service on said terminal," as recited in Claim 5. <u>Koichi</u> fails to disclose or suggest "a service execution unit configured to resume the suspended service on said another terminal based on the recovery-state data of the service recovering unit," as recited in Claim 6. <u>Koichi</u> fails to disclose or suggest "a state-description data transmitter configured to transmit the state description data to the second terminal according to a request by the second terminal, the suspended service recovered and resumed on the second terminal," as recited in Claim 8. <u>Koichi</u> fails to disclose or suggest "recovering and resuming the suspended service on the second terminal based on the recovery state data," as recited in Claim 11.

Accordingly, Applicants submit that <u>Koichi</u> fails to disclose or suggest all the features of Claims 1-3, 5, 6, 8, and 11. Thus, Applicants respectfully request that the rejection of Claims 1-15 under 35 U.S.C. § 102(a) be withdrawn.

Applicants respectfully traverse the rejection of Claims 1-15 under 35 U.S.C. § 103(a) as unpatentable over <u>Yoshiki</u> and <u>Tomarchio</u> with respect to independent Claims 1-3, 5, 8, and 11.

Turning now to the applied reference, <u>Yoshiki</u> describes a method of returning an interrupted service to an online terminal at the point of interruption.[4] <u>Yoshiki</u> describes that a user of an online terminal may activate a service. <u>Yoshiki</u> describes that service information about all services is memorized by a service storage section on a server. Furthermore, service information on the services chosen by a user is memorized in an individual storage section of a service server.[5] When a service is interrupted, the individual storage section stores an interrupt location indicating how far a service has been performed before interruption.[6] <u>Yoshiki</u> further describes that after the interruption, the user of the online terminal may resume the service at the point of interruption.[7]

However, <u>Yoshiki</u> fails to disclose or suggest that when a service is interrupted at a first online terminal, the service is recovered on a second online terminal. That is, when a service is interrupted at an online terminal, <u>Yoshiki</u> merely describes the process of returning the interrupted service to the same online terminal at the point of interruption.

Furthermore, it appears that the outstanding Official Action identifies the server of <u>Yoshiki</u>, having the service storage section and the individual service section, as Applicants' claimed "second terminal" having the "service recovery unit."[8] However, the server of <u>Yoshiki</u> merely stores information used to return a service to an online terminal at the point of interruption. <u>Yoshiki</u> fails to disclose or suggest that the suspended service is recovered and resumed on the server.

Accordingly, <u>Yoshiki</u> fails to disclose or suggest "a service execution unit configured to resume the suspended service on the second terminal based on the recovery-state data of the service-recovering unit," as recited in Claim 1.

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[4] See <u>Yoshiki</u> at Abstract.
[5] See <u>Yoshiki</u> at paragraph 29.
[6] See <u>Yoshiki</u> at paragraph 34.
[7] See <u>Yoshiki</u> at paragraph 35.
[8] See Office Action of August 7, 2007 at page 5.

Yoshiki further fails to disclose or suggest "recovering and resuming the suspended service on the second terminal based on the recovery state data," as recited in Claim 2. Yoshiki fails to disclose or suggest "an analyzer configured to analyze a suspend-state if a service being provided via the network is suspended, and to extract required data in order to recover and resume, on another terminal, the service from the suspend-state," as recited Claim 3. Yoshiki further fails to disclose or suggest "a service recovery unit configured to recover the service from a suspend state, the service suspended by another terminal, based on acquired data retrieved from the network for resuming the suspended service on said terminal," as recited in Claim 5. Yoshiki fails to disclose or suggest "a service execution unit configured to resume the suspended service on said another terminal based on the recovery-state data of the service recovering unit," as recited in Claim 6. Yoshiki fails to disclose or suggest "a state-description data transmitter configured to transmit the state description data to the second terminal according to a request by the second terminal, the suspended service recovered and resumed on the second terminal," as recited in Claim 8. Yoshiki fails to disclose or suggest "recovering and resuming the suspended service on the second terminal based on the recovery state data," as recited in Claim 11.

Applicants have considered Tomarchio and submit that Tomarchio fails to cure the deficiencies of Yoshiki. Accordingly, Applicants submit that Yoshiki and Tomarchio fail to disclose or suggest all the features of Claims 1-3, 5, 8, and 11.

Thus, Applicants respectfully request that the rejection of Claims 1-15 under 35 U.S.C. § 103(a) be withdrawn.

Applicants respectfully traverse the rejection of Claims 1-15 under 35 U.S.C. § 103(a) as unpatentable over Koichi and Sakomoto.

As outlined above, Koichi fails to disclose or suggest all the features of Claims 1-3, 5, 6, 8, and 11, from which the remaining claims depend. Applicants have considered

15

Sakomoto and submit that the applied reference fails to cure the deficiencies of <u>Koichi</u>.

Accordingly, Applicants submit that <u>Koichi</u> and <u>Sakomoto</u> fail to disclose or suggest all the features of Claims 1-15.

Thus, Applicants respectfully request that this rejection under 35 U.S.C. § 103(a) be withdrawn.

Accordingly, Applicants submit that Claims 1-3, 5, 8, 11, and claims depending therefrom, are allowed.

Consequently, in light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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